

Amendment No. 1 to HB1131

Curcio
Signature of Sponsor

AMEND Senate Bill No. 409*

House Bill No. 1131

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-318, is amended by deleting subsection (a) and substituting instead the following:

(a) "Bounty hunting" means a person who acts as an agent of a professional bondsman who attempts to or takes into custody a person who has failed to appear in court and whose bond has been forfeited, for a fee, the payment of which is contingent upon the taking of a person into custody and returning the person to the custody of the professional bondsman for whom the bounty hunter works. "Bounty hunting" does not include the taking into custody of a person by a professional bondsman; provided, that the professional bondsman is arresting a person with whom the professional bondsman, or the company or surety for whom the professional bondsman acts as an approved agent, has privity of contract.

SECTION 2. Tennessee Code Annotated, Section 40-11-318, is amended by deleting subsection (b) and substituting instead:

(b)

(1) The following individuals shall not serve as a bounty hunter in this state:

(A) An individual who has been convicted of a felony in any state;

or

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(B) An individual who has been convicted of two (2) or more Class A or Class B misdemeanors in this state, or equivalent offenses in any other state, within the past five (5) years.

(2) A violation of subdivision (b)(1) is a Class A misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 40-11-401, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection:

(b) Each person acting as a bounty hunter pursuant to § 40-11-318, including a professional bondsman acting as a bounty hunter, must obtain eight (8) hours of continuing education credits, with at least five (5) of those hours having a specific focus on bounty hunting, during each twelve-month period, beginning on January 1, 2021.

SECTION 4. Tennessee Code Annotated, Section 40-11-133, is amended by adding the following language as a new subsection:

(e) A professional bondsman or the agent of a professional bondsman who is arresting a defendant pursuant to this section shall not:

(1) Make a representation that the professional bondsman or the agent of the professional bondsman is a member of a law enforcement organization;

(2) Wear clothing or a uniform intended to give the impression that the professional bondsman or the professional bondsman's agent is employed by, affiliated with, or acting in the capacity of a law enforcement organization; or

(3) Wear clothing bearing an identifying title other than "Bail Bondsman".

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.